

REMARKS

Claim 1 has been amended. Claims 1 through 20 remain in the application. A marked up copy of the amended claim is attached hereto as Appendix A.

Claims 1 through 3, 7, 10, and 14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wolfe et al. (U.S. Patent No. 5,357,182). Applicants respectfully traverse this rejection.

U.S. Patent No. 5,357,182 to Wolfe et al. discloses a shopping cart theft prevention system. A shopping cart 10 has a lower right hand front wheel 12 of which is attached a small direct current permanent magnet gear motor 14. The motor 14 may be mounted by pins 20 to a wheel bracket extension plate 22 with its gear or sprocket 18 being coupled by a chain 24 to a gear 26 coaxially mounted on, and to rotate with, the wheel 12. A pair of terminals 28 extend from the motor, but preferably would be connected to a circuit 30, preferably disposed within the housing of the motor 14. Wolfe et al. does not disclose at least one inhibitor, a rotatable structure, and a receiver disposed within the vehicle wheel to receive a first predetermined signal and second predetermined signal to activate the rotatable structure to move the at least one inhibitor between the engaged position and the disengaged position.

In contradistinction, claim 1, as amended, clarifies the invention claimed as an anti-theft vehicle system for a vehicle wheel having a rotational axis including a signal generator to generate a first predetermined signal around a first predetermined perimeter and to generate a second predetermined signal around a second predetermined perimeter at least partially disposed within the first predetermined perimeter. The anti-theft vehicle system also includes at least one inhibitor disposed within the vehicle wheel to selectively engage and disengage the vehicle wheel to resist and allow rotational movement of the vehicle wheel about the rotational axis. The anti-theft vehicle system includes a rotatable structure disposed within the vehicle wheel and



cooperating with the at least one inhibitor for moving the at least one inhibitor between an engaged position and a disengaged position with respect to the vehicle wheel. The anti-theft vehicle system further includes a receiver mounted disposed the vehicle wheel to receive the first predetermined signal and second predetermined signal to activate the rotatable structure to move the at least one inhibitor between the engaged position and the disengaged position. Claims 7 and 14 are similar to claim 1 and include other features of the present invention.

A rejection grounded on anticipation under 35 U.S.C. § 102 is proper only where the subject matter claimed is identically disclosed or described in a reference. In other words, anticipation requires the presence of a single prior art reference which discloses each and every element of the claimed invention arranged as in the claim. In re Arkley, 455 F.2d 586, 172 U.S.P.Q. 524 (C.C.P.A. 1972); Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983); Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 U.S.P.Q. 481 (Fed. Cir. 1984).

Wolfe et al. '182 does not disclose or anticipate the claimed inventions of claims 1, 7, and 14. Specifically, Wolfe et al. '182 merely discloses an anti-theft system for a shopping cart in which a motor, chain, and receiving circuit are disposed outside of the wheel for the shopping cart. Wolfe et al. '182 was only cited as being of particular relevance when combined with the other references in the International Search Report. In the International Preliminary Examination Report, the claims met the statement as to novelty over Wolfe et al. '182. Wolfe et al. '182 does not disclose the combination of an anti-theft vehicle system including at least one inhibitor, a rotatable structure, and a receiver disposed within the vehicle wheel to receive the first predetermined signal and second predetermined signal to activate the rotatable structure to move the at least one inhibitor between the engaged position and the disengaged position as claimed by Applicants. . Wolfe et al. clearly fails as an anticipation of the anti-theft vehicle

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system as claimed by Applicants. Therefore, it is respectfully submitted that claims 1, 7, and 14 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

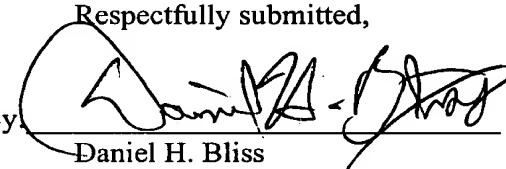
Claim 4 was rejected under 35 U.S.C. § 103 as being unpatentable over Wolfe et al. '182. Applicants respectfully traverse this rejection for the same reasons given above to claim 1.

Claims 5, 6, 8, 9, 11 through 13, and 15 through 20 were rejected under 35 U.S.C. § 103 as being unpatentable over Wolfe et al. '182 in view of Lace et al. (U.S. Patent No. 5,831,530). Applicants respectfully traverse this rejection for the same reasons given above to claims 1, 7, and 14.

Based on the above, it is respectfully submitted that the claims are in a condition for allowance, which allowance is solicited.

Respectfully submitted,

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APPENDIX AVERSION OF THE CLAIM WITH MARKINGS TO SHOW THE CHANGES

Please amend claim 1 as follows:

1. (AMENDED) An anti-theft vehicle system for a vehicle wheel having a rotational axis comprising:

 a signal generator to generate a first predetermined signal around a first predetermined perimeter and to generate a second predetermined signal around a second predetermined perimeter at least partially disposed within the first predetermined perimeter;

 at least one inhibitor disposed within the vehicle wheel to selectively engage and disengage the vehicle wheel to resist and allow rotational movement of the vehicle wheel about the rotational axis;

 a rotatable structure disposed within the vehicle wheel and cooperating with said at least one inhibitor for moving said at least one inhibitor between an engaged position and a disengaged position with respect to the vehicle wheel; and

 a receiver [mounted] disposed within the vehicle wheel to receive the first predetermined signal and second predetermined signal to activate said rotatable structure to move said at least one inhibitor between said engaged position and said disengaged position.

